UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/643,583	08/22/2000	Arun K. Gupta	102153-100	9983

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EXAMINER
DUONG, OANH L

ART UNIT	PAPER NUMBER
2155	8

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No. 09/643,583	Applicant(s) GUPTA ET AL.
	Examiner Oanh L. Duong	Art Unit 2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 November 2003</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  a)☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5)☐ Notice of Informal Patent Application (PTO-152)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6)☐ Other: .

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1.   Claims 1-14 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the

alternative, under 35 U.S.C. 103(a) as obvious over (Li) (US 6,591,266 B1).

Regarding claim 1, Li teaches a method for providing a requestor with access to

dynamic data via quasi-static data requests (e.g., see fig. 2 col. 1 lines 18-22),

comprising the steps of defining a web page, said web page including at least one

dynamic element (e.g., see col. 3 lines 31-49); creating an executable digital code to be

run on a computer (e.g., see col. 3 line 66-col. 4 lines 12) and invokes at define

intervals by a scheduler component said executable code effective to create and store a

quasi-static copy of said defined web page (e.g., see col. 18 line 45-col. 19 line19);

creating said scheduler component capable of invoking said executable code at

predetermined intervals (e.g., see col. 18 line 45-col. 19 line 19); loading said

executable code and said scheduler component onto a platform in connectivity with a

web server and with one another (e.g., see fig. 7 col. 12 lines 31-44 and col. 26 lines

32-61); invoking execution of said scheduler component (e.g., see col. 18 line 45-col. 19

line 19); and retrieving and returning the static copy of said defined web page in

response to requests for said defined web page (e.g., see col. 8 line 64-col. 9 line17). Li

teaches a program that knows the association between an operation and it associated

data, and checks, at periodic intervals, whether the data has changed. It is obvious to

one of ordinary skill in the art that scheduler component must be loaded onto a

computer platform before its execution which triggers the program to check the

changing or modifying of data periodically.

Regarding claim 2, Li teaches the web page is defined and stored in a repository

(e.g., see col. 38 lines 28-49).

Regarding claim 3, Li teaches defining a placement and derivation for elements

in said web page (e.g., see col. 13 line 57-col. 14 line 28); and defining said web page

as either static or dynamic (e.g., see col. 9 lines 54-64).

Regarding claim 4, Li teaches said elements are defined as dynamic or static

(e.g., see col. 1 line 20-22).

Regarding claim 5, Li executable code and scheduler code is generated from

Business Class definitions (e.g., see col. 2 lines 19-46).

Regarding claim 6, Li teaches static copy of defined web page is stored in a

format capable of being viewed by a web browser (e.g., see fig. 4 col. 3 lines 24-30).

Regarding claim 7, Li teaches a method for providing a requestor with access to

dynamic data via quasi-static data requests (e.g., see fig. 2 col. 1 lines 18-22),

comprising steps of providing a web page including at least one dynamic element (e.g.,

see col. 3 lines 31-49); a scheduler periodically invoking an executable to generate a

quasi-static copy of the web page (e.g., see col. 19 lines 2-19); and upon receiving a

request for the web page from the requestor, returning the quasi-static copy of the web

page (e.g., see col. 8 lines 64-col. 9 lines 17).

Regarding claim 11, the system of claim 7 has a correspondent method of claim

7; therefore, claim 11 is rejected under same rationale as applied to claim 7.

Regarding claims 8 and 12, Li teaches the at least one dynamic element is

retrieved from an operational data by the executable when the quasi-static copy of the

web page is generated (e.g., see col. 19 lines 2-19).

Regarding claims 9 and 13, Li teaches executable is written in Active server

Pages (APS) (the web server 58 has ability to create a dynamic web page using

conventional technology such as VBScript, JavaScript, ASP, etc,) (col. 9 lines 46-58).

Regarding claims 10 and 14, Li teaches the quasi-static copy of the web page is

stored in a format capable of being viewed by a web browser (e.g., see fig. 4 col. 3 lines

24-30).

Response to Arguments

2.   Applicant's arguments filed 11/04/2003 have been fully considered but they are

not persuasive.

In response to applicant that Li does not teach a scheduler that periodically

invokes an executable to generate a static copy of a web page. Examiner respectively

disagrees because Li does teach this feature. Li teaches the daemon 232 checks, at

periodic intervals, whether the web page has changed. In order for program to check

periodically, the system must inherently have an internal-clock/scheduler to invoke an

executable (program/code) to check and generate a new (copy) web (Li, col. 19 lines 2-19).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

3.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (703) 305-0295. The examiner can normally be reached on Monday- Friday, 8:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Cul

O.D
January 23, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER